

and maintain the systems of our weaponry in the future as they can in the past 3 years.

Second, it is not the general or the ambassador who should come here to speak about Iraq's security, but rather our intelligence agencies that must address the question about whether the Iraq strategy has improved our overall efforts in the global war on terror, with Afghanistan once again prey to terrorists, and the Taliban having gone back into the ungoverned regions to protect them, and General Hayden, head of the CIA, having said that al Qaeda now has a safe haven in the border regions between Afghanistan and Pakistan. What is the impact of a strategy in that unstable region that the Chairman of the Joint Chiefs of Staff has described as "in Iraq what we do what we must, but in Afghanistan, we do what we can."

Officials from the State Department likewise must address the impact upon our allies of this war in Iraq and our relationships with them and the efforts to achieve other diplomatic goals, remembering that when we went into Bosnia, 50 percent of the coalition troops were non-U.S., and when we went into Iraq 5 years ago, less than 7 percent of the troops that entered that country were non-U.S.

And then the Treasury, how can they explain the impact of what all economists agree are now almost \$2 trillion to \$3 trillion as the cost of this war in Iraq? When Iraq is awash in oil revenues, why are we using taxpayers' dollars?

Therefore, the questions that General Petraeus can and should not answer comes down to, he should not be the one to tell us how long and at what cost before we change our strategy. It is only if Congress changes the forum for this general to come before us to say and hold up a national mirror, this is the impact of Iraq upon our overall national security strategy, and if it is not working and if it is negatively impacting it, we must therefore change the strategy.

I believe it is against the spirit, as a man who has served in the military 31 years until I entered Congress, to have a military man placed in the position to determine singularly, when he is only responsible for the security of Iraq, to then determine without everyone else there the right strategy and course for America's national security.

We must have that debate. Is the strategy working? Is it harming our overall national security? If it is, change the strategy.

PRESIDENT BUSH INSULTS THE AMERICAN PEOPLE WITH HIS SELECTIVE PARDONS AND COMMUTATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Mr. Speaker, on March 25, President Bush pardoned 15

people and granted one commutation to crimes that ranged from falsifying records, conspiracy, bank embezzlement, dealing in firearms, distributing marijuana, conspiracy to commit wire and mail fraud, heroin importation, selling migratory bird parts in violation of the Migratory Bird Treaty Act, aiding and abetting the escape of a prisoner, distributing more than 50 grams of crack cocaine, and a variety of other crimes.

This brings to about 157 the number of pardons and/or commutations that President Bush has distributed in his administration in his term in office. And although that number is fewer than other presidents, it in fact is reflective of something that I consider to be a serious problem, and that is this, that although the President has been compassionate or for whatever reason chosen to commute or pardon 157 people up to this point in time, he leaves two Border Patrol agents in jail today because I believe of the misbehavior of the U.S. Attorney in that particular district. And this is unconscionable.

This House actually voted last session unanimously to in fact deny funding to the Department of Justice to continue to hold Border Patrol agents Ramos and Compean in the Federal prison where they have been incarcerated now for well over a year. And their terms are for 11 and 12 years. This is because they have been sentenced because of the testimony of a known drug smuggler by the name of Osvaldo Aldrete-Davila, who was given immunity from prosecution by U.S. Attorney Sutton.

The SUV that Aldrete was driving was found to contain 743 pounds of marijuana. The jury in the Ramos-Compean trial was never told of Aldrete's criminal background. They were led to believe that Aldrete was a one-time smuggler trying to make money to help a sick relative. In fact, he was a professional drug smuggler, and his history was known to the DEA and to Johnny Sutton, who was the prosecuting attorney, at the time of the trial, but this history was kept from the jury.

It has been revealed in documents since the trial that U.S. Attorney Johnny Sutton deliberately delayed the arrest of Aldrete for a subsequent drug smuggling incident that occurred while Aldrete was under the grant of immunity but before the trial date. All of this information, of course, was withheld because it would have revealed Aldrete as a professional smuggler, not an innocent victim of the Border Patrol agents. This is a flagrant abuse of prosecutorial discretion.

These mistakes were compounded by asking for a mandatory 10-year sentence for Ramos and Compean for the use of a firearm in the commission of a "crime." The law was never intended to apply to law officers who use their weapons in the performance of their jobs.

The key question at the trial was whether the drug smuggler Aldrete had

a weapon and had pointed it at one of the Border Patrol agents. Mr. Aldrete denied having such a weapon. It was his word against the testimony of the Border Patrol agents, so the credibility of each witness was critical to the jury's evaluation of the incident, yet the jury was kept in the dark about Aldrete's other arrests and his history as a drug smuggler.

The mistakes made by Ramos and Compean in trying to apprehend Mr. Aldrete should have been handled as a violation of agency rules, the failure to write and file a report of an incident involving Aldrete, and punished by a 5-day suspension, not by criminal prosecution. For that reason alone, this conduct rises to the level of reprehensible, the conduct I believe of the U.S. Attorney in this case and of the President of the United States.

To compound the injustice in this case, it is widely known that the U.S. Attorney is a friend of the President, going back to his days as Governor. But Bush's refusal to issue a pardon or a commutation amounts to a coverup I believe of this misconduct in this trial.

Ramos and Compean have appealed their conviction to the U.S. Circuit Court and a decision on that appeal is due shortly. At the very least they deserve a new trial. President Bush has it within his power to end this injustice now by issuing a pardon or a commutation. I sincerely hope that he takes that responsibility seriously and offers this to Mr. Ramos and Mr. Compean, who are languishing in prison for literally no good reason.

COMMEMORATING THE LEGACY OF DR. MARTIN LUTHER KING, JR., BY SERVICE FOR PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

Mr. YARMUTH. Mr. Speaker, I rise today on the 40th anniversary of the week Dr. Martin Luther King, Jr., was killed to commemorate his legacy as continued by Service for Peace.

During his short life, Dr. King marched in my hometown of Louisville, Kentucky, on his way to touching millions of American lives throughout this Nation and inspiring the masses with his message of freedom and of peace. Today, I am proud to say that, in no small part thanks to the efforts of Reverend Peter Hayes, our local Service for Peace, and programs like 40 Days of Peace, the MLK Season of Service, and the King Memorial Walk and Peace Fest, the spirit of Dr. King is alive and well in our hometown.

Each year, Service for Peace reminds us that though King was taken from us far too early, the gifts he gave to us, his lessons, his passion, his legacy, remain and continue to inspire within us a deep sense of justice.

Nationwide, half a million volunteers took part in this year's MLK Day of